

SAPONE & PETRILLO, LLP

MANHATTAN

40 Fulton Street, 17th Floor
New York, New York 10038
Telephone: (212) 349-9000
Facsimile: (347) 408-0492
E-mail: ed@saponepetrillo.com

LONG ISLAND

1103 Stewart Avenue, Suite 200
Garden City, New York 11530
Telephone: (516) 678-2800
Facsimile: (516) 977-1977
E-mail: bill@saponepetrillo.com

July 20, 2023

BY ECF

The Honorable Andrew L. Carter, Jr.
United States District Court for the
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Reginald Fowler
Docket No. 19 Cr. 254 (ALC)

Dear Judge Carter:

I am counsel to Defendant Reginald Fowler. As it appears that the Government has made adequate efforts to meet the “modest showing” of diligence required of the government under the substitute asset statute, *see e.g., United States v. Malley*, No. 21 Cr. 215 (ER), 2022 WL 2764018, at *2 (S.D.N.Y. July 15, 2022)(explaining that government’s search of law enforcement’s CLEAR database for defendant’s assets was sufficient to meet diligence requirement under substitute asset statute); *United States v. Christie*, 249 F. Supp. 3d 739, 745 (S.D.N.Y. 2017)(finding that use of customary law enforcement techniques and resources to locate the defendant's assets satisfies the “modest showing” required by the substitute asset statutes), Defendant does not oppose the Government’s Motion in Support of Its Proposed Preliminary Order of Forfeiture as to Substitute Assets.

As always, Your Honor’s consideration is very much appreciated.

Respectfully submitted,

Edward Sapone

Edward V. Sapone (ES-2553)
Sapone & Petrillo, LLP
40 Fulton Street, 17th Floor
New York, New York 10038
[Email: ed@saponepetrillo.com](mailto:ed@saponepetrillo.com)
Attorneys for Reginald Fowler